

# Notice of Allowability

Application No.

09/863,722

Examiner

Thomas A. Dixon

Applicant(s)

MARTIN ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/27/06.
2. ☒ The allowed claim(s) is/are 16,17 and 20-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### **DETAILED ACTION**

1. The amendment filed 7 April 2006 has been considered.
2. The Terminal Disclaimer filed on 2/25/03 is acceptable
3. The amendment of 7/27/06 has been considered and is convincing.

### ***Allowable Subject Matter***

4. Claims 16-17, 20-31 are allowed.
5. The following is an examiner's statement of reasons for allowance:

As per Claim 16.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

a computer jukebox with a communication interface for receiving the compressed digital song data, the song identity data and the compressed pictorial graphics;

causing the processor, when no song is playing on the computer jukebox, to generate a user attract mode wherein the digitally-stored song associated graphic images are decompressed and shown on the display.

As per Claim 22.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

a computer jukebox with a communication interface for receiving the compressed digital song data and the song identity data;

causing the processor, when no song is playing on the computer jukebox to generate a user attract mode;

causing the processor to respond to compressed digital song data and to song identity data, which may be received by the communication interface of the computer jukebox, to control the storage of the received compressed digital song data and the received song identity data in the data storage unit to create an updated library of songs stored in the computer jukebox; and

causing the management station processor to compress and transmit a subset of the digital song data and transmit corresponding song identity data to at least one selected computer jukebox to update the library of songs in the computer jukebox.

As per Claim 27.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

a computer jukebox with a communications interface for receiving compressed digital song data and the song identity data;

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causing the processor, when no song is playing on the computer jukebox to generate a user attract mode;

a data storage for storing the compressed digital song data and song identity data for each of the songs stored;

processor and a memory, the memory including a decompression algorithm for decompressing compressed digital song data, and instructions for:

causing the processor to respond to compressed digital song data and to song identity data, which may be received by the communication interface of the computer jukebox, to control the storage of the received compressed digital song data and the received song identity data in the data storage unit to create an updated library of songs stored in the computer jukebox.

As per Claim 28.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

a processor having a memory connected thereto, the memory including (i) a decompression algorithm for decompressing compressed digital song data, and (ii) instructions causing the processor, when no selected song is playing on the computer jukebox, to generate a user attract mode in which the song associated images are decompressed and shown on the display.

As per Claim 29.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

the processor generates a user attract mode in which digitally stored song associated graphics are decompressed and shown on said display when no selected song is playing on the computer jukebox.

As per Claim 30.

The prior art, specifically Castile ('502) in view of Cohen ('187) further in view of Verdun ('802) or Tashiro ('836) do not disclose or fairly teach:

generating a user attract mode in which digitally stored song associated graphics are decompressed and shown on a display when no selected song is playing on the computer jukebox.

The claims that depend from the above allowed claims are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Prior Art Made of Record***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arbiter et al (5,228,015) discloses running an attract mode until money is inserted, see column 5, lines 12-13, but does not disclose running compressed/decompressed digitally stored song associated graphics.


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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thomas A. Dixon  
Primary Examiner  
Art Unit 3628

October 06